



# PUBLIC NOTICE

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**Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554**

**DA 03-1029  
March 28, 2003**

**COMMENTS INVITED ON FOCAL COMMUNICATIONS CORPORATION, ET  
AL. APPLICATION TO DISCONTINUE DOMESTIC  
TELECOMMUNICATIONS SERVICES**

**Comp. Pol. File No. 642**

**Comments Due: April 11, 2003**

**Section 214 Application**

**Applicants: Focal Communications Corporation and its subsidiaries - Focal Communications Corporations of California, Georgia, Illinois, Massachusetts, the Mid-Atlantic, New Jersey, New York, Pennsylvania, Texas, and Virginia.**

On **March 21, 2003**, **Focal Communications Corporation, et al.** (together Focal or Applicants) located at **200 North LaSalle Street, Chicago, Illinois 60601** filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of local exchange, interexchange and internet access services to specific buildings in several states and the District of Columbia.

The application states that Focal seeks to discontinue the provision of all the services it currently provides to former customers of OnSite Access that are located in the states of California, Georgia, Illinois, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Texas, Virginia, and the District of Columbia. Specifically, Focal seeks to discontinue service to the following buildings listed below:

<b>California</b>	
837 Traction Ave	Los Angeles, CA 90013
11222 S La Cienega Blvd	Inglewood, CA 90304
301 East Ocean Blvd	Long Beach, CA 90802

111 N La Brea Ave	Inglewood, CA 90301
2080 Century Park East	Los Angeles, CA 90067
3407 W 6 <sup>th</sup> St	Los Angeles, CA 90020
345 North Maple Drive	Beverly Hills, CA 90210
3250 Wilshire Blvd	Los Angeles, CA 90010
111 West Ocean Boulevard	Long Beach, CA 90802
4590 Macarthur Blvd	Newport Beach, CA 92660
19800 Mac Arthur Blvd	Irvine, CA 92612
6222 Wilshire Blvd	Los Angeles, CA 90048
19900 MacArther Blvd	Irvine, CA 92612
3700 Wilshire Blvd	Los Angeles, CA 90010
3600 Wilshire Blvd	Los Angeles, CA 90010
5150 E Pacific Coast Hwy	Long Beach, CA 90804
3200 Wilshire Blvd	Los Angeles, CA 90010
3440 Wilshire Blvd	Los Angeles, CA 90010
3450 Wilshire Blvd	Los Angeles, CA 90010
3460 Wilshire Blvd	Los Angeles, CA 90010
707 Wilshire Blvd	Los Angeles, CA 90017
1601 Cloverfield Ave	Santa Monica, CA 90404
436 14 <sup>th</sup> Street	Oakland, CA 94612
<b>District of Columbia</b>	
1612 K St NW	Washington, DC 20006
600 Pennsylvania Ave SE	Washington, DC 20003
601 13 <sup>th</sup> Street	Washington, DC 20005
<b>Georgia</b>	
1355 Peachtree St. NW	Atlanta, GA 30309
300 Galleria Pkwy	Atlanta, GA 30339
5505 Peachtree Dunwoody Rd NE	Atlanta, GA 30342
<b>Illinois</b>	
2850 W Golf Road	Rolling Meadows, IL 60008
55 E. Monroe	Chicago, IL 60603
401 N. Michigan	Chicago, IL 60611
<b>Maryland</b>	
11120 New Hampshire Ave	Silver Spring, MD 20904
<b>Massachusetts</b>	
15 Broad Street	Boston, MA 02109
31 Milk St	Boston, MA 02109
370 Main Street	Worcester, MA 01608
<b>New Jersey</b>	
1 University Plaza	Hackensack, NJ 07601
1099 Wall Street	Lyndhurst, NJ 07071
1200 MacArthur Blvd	Mahwah, NJ 07601
2 Executive Dr.	Somerset, NJ 08873
2 University Plz. Dr.	Hackensack, NJ 07601
67 Walnut Ave	Clark, NJ 07066
1 Evertrust Plaza	Jersey City, NJ 07302

<b>New York</b>	
10 W 33 <sup>rd</sup> ST	New York, NY 10001
1255 Broadway	New York, NY 10001
1250 Broadway	New York, NY 10001
2 Wall Street	New York, NY 10001
250 Hudson St	New York, NY 10013
37 W 57 <sup>th</sup> St	New York, NY 10019
505 White Plains Road	Tarrytown, NY 10581
519 8 <sup>th</sup> Ave	New York, NY 10018
317 Madison Ave	New York, NY 10017
<b>Pennsylvania</b>	
230 S. Broad St	Philadelphia, PA 19102
1435 Walnut St	Philadelphia, PA 19102
1628 JFK Blvd	Philadelphia, PA 19103
1528 Walnut St	Philadelphia, PA 19102
1617 JFK Blvd	Philadelphia, PA 19103
601 Walnut St	Philadelphia, PA 19107
333 E City Line Av.	Bala Cynwid, PA 19004
231 St. Asoph's	Bala Cynwid, PA 19004
230 S. Broad St	Philadelphia, PA 19102
<b>Texas</b>	
500 North Central Expressway	Plano, TX 75074
1201 Main Street	Dallas, TX 75201
2909 Hillcroft St	Houston, TX 77057
<b>Virginia</b>	
12011 Lee Jackson Memorial Hwy	Fairfax, VA 22033

Focal indicates that it started providing service to the above listed customers after OnSite Access filed for Bankruptcy on May 16, 2001 and ceased providing telecommunications services. Focal states that on December 19, 2002, Focal subsequently filed a voluntary, pre-arranged Chapter 11 bankruptcy petition with the United States Bankruptcy Court for the District of Delaware. Focal states that it seeks to discontinue services to the selected customers as part of its plan to make its operations more economically efficient, and to allow Focal to emerge from bankruptcy with operations that assure its long term viability as a competitor. Focal indicates that it plans to discontinue service to the selected customers on April 30, 2003, or as soon thereafter as the necessary authorizations can be obtained, and that it provided written notice to all affected customers by letters dated March 18, 2003. In a letter dated March 27, 2003, Focal amended its application to clarify that it served notice of the planned discontinuance on the Governor of Virginia, on March 27, 2003.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31<sup>st</sup>) day after the release date of this notice, unless the Commission has notified Applicants that the grant will not be automatically effective. In Focal's application and notice to customers, Focal indicated that it would not discontinue service until April 30, 2003. Accordingly, pursuant to section 63.71(c), absent further Commission action, Focal may not terminate service to the customers affected by this application until April 30, 2003. The Commission will normally authorize proposed discontinuances of service unless it is shown

that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **April 11, 2003**. Such comments should refer to **Comp. Pol. File No. 642**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. The original and four (4) copies of the comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 6-A207, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicants. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail at [qualexint@aol.com](mailto:qualexint@aol.com).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [cweather@fcc.gov](mailto:cweather@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rlmcdona@fcc.gov](mailto:rlmcdona@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

**-FEDERAL COMMUNICATIONS COMMISSION-**